

# Notice of Allowability

Application No.

09/655,862

Examiner

Kelly L. Jerabek

Applicant(s)

YUKI ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Request for Continued Examination filed 8/18/2006.
2. ☒ The allowed claim(s) is/are 2-8 and 12-15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
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SUPERVISORY PATENT EXAMINER  
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## DETAILED ACTION

### *Allowable Subject Matter*

**Claims 2-8 and 12-15 are allowed.**

The following is an examiner's statement of reasons for allowance:

Re claims 12 and 2-8, the prior art fails to teach or fairly suggest "An image pickup apparatus comprising: an image pickup area having a plurality of pixels; a read circuit having a first read-out mode for reading signals of pixels contained in a first image pickup area in said image pickup area, through addition of  $n$  ( $n$  is a natural number) pixels, and having a second read-out mode for reading signals of pixels contained in a second image pickup area smaller than the first image pickup area, through addition of  $m$  ( $m < n$ ,  $m$  is a natural number) pixels or without addition, **wherein plural colors are picked up in each of said first and second pickup areas; and an exposure control circuit which comprises an amplifier circuit which is arranged to control an amplification factor of the signals read out from the first and second image pickup areas respectively, in accordance with the first and second read-out modes**".

Re claim 13, the prior art fails to teach or fairly suggest "An image pickup apparatus comprising: an image pickup area including pixels arranged in horizontal and vertical directions, vertical output lines to which signals of pixels are read out and a horizontal output line to which signals from the vertical output lines are read out; a driver circuit for controlling transistors in said image pickup area to effect a first read-out mode for reading signals of pixels contained in a first image pickup area in said image pickup area through addition of  $n$  ( $n$  is a natural number) pixels to the horizontal output line and a second read-out mode for reading signals of pixels contained in a second image pickup area smaller than the first image pickup area through addition of  $m$  ( $m < n$ ,  $m$  is a natural number) pixels or without addition to the horizontal output line, **wherein plural colors are picked up in each of said first and second pickup areas; and an exposure control circuit which comprises an amplifier circuit which is arranged to control an amplification factor of the signals read out from the first and second image pickup areas respectively, in accordance with the first and second read-out modes**".

Re claim 14, the prior art fails to teach or fairly suggest "An image pickup apparatus comprising: an image pickup area including a plurality of pixels; an analog/digital converter circuit for converting a signal read out from said image pickup area into a digital signal; a processing circuit for processing digital signals which are output from the analog/digital converter circuit and correspond to signals read out in a first read-out mode for reading signals of pixels contained in a first image pickup area in

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said image pickup area, through addition of  $n$  ( $n$  is a natural number) pixels, and which correspond to signals read out in a second read-out mode for reading signals of pixels contained in a second image pickup area smaller than the first image pickup area, through addition of  $m$  ( $m < n$ ,  $m$  is a natural number) pixels or without addition, **wherein plural colors are picked up in each of said first and second pickup areas; and an exposure control circuit which comprises an amplifier circuit which is arranged to control an amplification factor of the signals read out from the first and second image pickup areas respectively, in accordance with the first and second read-out modes**".

Re claim 15, the prior art fails to teach or fairly suggest "A method of controlling an image pickup apparatus comprising the steps of: effecting a first read-out mode for reading signals of pixels contained in a first image pickup area in said image pickup area, through addition of  $n$  ( $n$  is a natural number) pixels, and effecting a second read-out mode for reading signals of pixels contained in a second image pickup area smaller than the first image pickup area, through addition of  $m$  ( $m < n$ ,  $m$  is a natural number) pixels or without addition, **wherein plural colors are picked up in each of said first and second pickup areas; and effecting exposure control so as to amplify the signals read out from the first and second image pickup areas respectively, by controlling an amplification factor in accordance with the first and second read-out modes**".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Contacts***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is (571) 272-7312. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for submitting all Official communications is (703) 872-9306. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at (571) 273-7312.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ

Handwritten signature of Kelly L. J.Handwritten signature of Vivek Srivastava.

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